

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LONDON-SIRE RECORDS INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1-4,

Defendants.

CIVIL ACTION 04-12434 NG
LEAD DOCKET NUMBER

**AMENDED NOTICE OF DISMISSAL WITH PREJUDICE OF DEFENDANT DOE 5 IN
THE MATTER FORMERLY KNOWN AS *MOTOWN RECORD CO. V. DOES 1-6*, U.S.
DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, NO. 05-CV-11100**

This notice of dismissal is intended to amend the notice filed on September 8, 2005, which improperly labeled the Doe defendant associated with the following IP address: 130.64.136.144 2005-04-30 18:21:10, as Doe No. 3. As Exhibit A to the complaint filed on May 26, 2005 reflects, the Doe associated with this IP address is Doe No. 5, not Doe No. 3. Accordingly, the claims against Doe No. 3 should not be dismissed.

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal with prejudice of the claims asserted against Defendant Doe No. 5 in the matter known prior to the Court's June 1, 2005 consolidation order as Motown Record Company v. Does 1-6, U.S. District Court for the District of Massachusetts, No. 05-CV-11100,

and who is associated in the Complaint in that matter with the following IP address:

130.64.136.144 2005-04-30 18:21:10.

This notice of dismissal shall have no effect on claims asserted against any other defendants in this matter.

LONDON-SIRE RECORDS INC.; ATLANTIC
RECORDING CORPORATION; BMG MUSIC;
ELEKTRA ENTERTAINMENT GROUP INC;
INTERSCOPE RECORDS; UMG RECORDINGS,
INC.; SONY BMG MUSIC ENTERTAINMENT;
ARISTA RECORDS LLC; CAPITOL RECORDS,
INC; VIRGIN RECORDS AMERICA, INC; and
WARNER BROS. RECORDS INC.,

By their attorneys,

/s/ Jocelyn L. Heyman

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Dated: September 19, 2005

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